Mr Atul Lakhanpal, Advocate.
Mr IPS Sidhu, Sr DAG Punjab.

Heard counsel for the parties.

The petitioner is facing trial on the allegations of having committed an offence under Section 306/34 IPC. As per the prosecution case, Narinder Kaur was married with the petitioner three years prior to the occurrence and a daughter was born out of the wedlock. It is alleged that the petitioner and his other relatives were troubling Narinder Kaur and she was beaten also on many occasions. However, a Panchayat of both the villages had compromised the matter. Narinder Kaur is stated to have died by taking some poisonous substance on account of harassment and torture by the petitioner and his other family members.

During the course of trial, the statement of Gurmeet Kaur, mother of the deceased Narinder Kaur, had been recorded. It is stated by her that her daughter Narinder Kuar had been living in a mentally disturbed condition due to long illness and in the morning on the day of the occurrence, she had taken some wrong medicine on account of which she became serious. Makhan Singh, son-in-law of Gurmeet Kaur got her admitted in Dr Arora's hospital at Philaur who referred her to Daya Nand Medical College, Ludhiana where she died. There are no allegations of demand of dowry on record for the present. The petitioner is in custody since 10.5.2006. On 22.2.2007, the State counsel had submitted before this Court that all material witnesses were summoned for examination but they did not appear. Therefore, bailable warrants for securing their presence had been issued for 20.3.2007. This Court directed the learned State counsel to convey to the PP that all the witnesses may be examined on the date fixed.

However, it is submitted by the State Counsel, on instructions from HC Baldev Singh, Police Station Bilga that the witnesses have not yet been examined and the case is now fixed for 29.5.2007.

Keeping in view the facts and circumstances of the case and without commenting on the merits of the case lest it should prejudice either of the sides, the petitioner, on furnishing personal bond and surety in the like amount to the satisfaction of SDJM Phillaur, shall be admitted to bail.

23.4.2007. (S.S.SARON)
ASR JUDGE